

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

VINCENT KHOURY TYLOR)	CIVIL NO. <u>CV13-00280 DKW-KSC</u>
and VINCENT SCOTT TYLOR)	(Copyright Infringement)
)	
Plaintiffs,)	
)	DECLARATION OF COUNSEL
vs.)	
)	
RHYTHM OF LIFE COSMETICS,)	
INC., a Hawaii Corporation, dba MAUI)	
TROPICAL SOAPS; RICHARD D.)	
STILLMAN; JOHN DOES 1-10; JANE)	
DOES 1-10; DOE CORPORATIONS)	
1-10; DOE PARTNERSHIPS 1-10; and)	
DOE ASSOCIATIONS 1-10,)	
)	
Defendants.)	
)	

DECLARATION OF COUNSEL

The undersigned, Dane Anderson, does hereby declare under penalty of law that:

1. I am an attorney for Plaintiffs VINCENT KHOURY TYLOR and VINCENT SCOTT TYLOR (“Plaintiffs”), herein.
2. I have personal knowledge of all of the facts stated herein and am competent to testify as to those facts.
3. I have direct knowledge of the legal services performed for Plaintiffs and the costs incurred in filing this action.

4. Plaintiffs seek an award of attorneys' fees for legal services and for their costs of suit as described in detail below:

Dane Anderson's Attorneys Fees

Date	Description	Hours	Code
3/13/13	Reviewed initial demand letter; researched Defendants' corporate registration in Hawaii and Colorado.	0.4	A
3/13/13	Began draft of complaint.	0.7	B
3/17/13	Continued draft of complaint.	3.6	B
3/18/13	Obtained screenshots of Defendants' web pages for use as exhibits.	0.9	B
3/18/13	Continued drafting complaint.	1.6	B
3/19/13	Continued draft of complaint.	2.3	B
3/20/13	Continued draft of complaint and confirmed that hyperlinks in complaint are accurate.	1.9	B
3/22/13	Completed draft of complaint.	1.7	B
3/23/13	Revised draft of complaint.	1.0	B
3/23/13	Emailed draft of complaint to Stephen Street for review.	0.1	A
4/18/13	Revised draft of complaint.	1.6	B
5/7/13	Revised draft of complaint.	0.8	B
5/7/13	Drafted proof of services.	0.3	B
5/8/13	Drafted civil cover sheet.	0.2	B
5/24/13	Reviewed email from Stephen Street re: *.	0.1	A
5/28/13	Revised draft of complaint to include continuing infringements; took screenshots and copied URLs.	2.6	B
5/29/13	Completed research of Defendants' Facebook.com page for any other infringements and emailed summary of all links and screenshots to Stephen Street for review.	1.6	A
5/29/13	Revised draft of complaint to include newly discovered infringements.	1.4	B

5/29/13	Revised captions on Proof of Services and corrected the caption on the Civil Cover Sheet.	0.3	B
5/30/13	Phone conversation with Stephen Street re: exhibits and revisions.	0.5	B
5/30/13	Created exhibits for filing.	1.2	B
5/31/13	Phone conversation with Stephen Street re: revisions and filings.	0.3	A
5/31/13	Finalized the complaint; printed and organized complaint and exhibits for filing; and filed in court.	1.1	A
6/1/13	Drafted memo for process server.	0.1	A
6/1/13	Phone conversation with process server about hand delivering a copy of the complaint and summons for immediate service.	0.1	A
6/1/13	Hand delivered a certified copy of complaint and summons to process server for service.	0.5	A
6/2/13	Email to Stephen Street re: *.	0.1	A
6/4/13	Drafted waiver of service forms to mail to Defendant Richard Stillman.	0.5	A
6/20/13	Phone conversation with Michael Lam's office re: when Mr. Lam will be back in office to accept service.	0.1	A
6/20/13	Phone conversation with process server re: inability to serve Mr. Lam.	0.1	A
6/21/13	Phone conversation with process server re: service of complaint on Mr. Lam.	0.1	A
6/21/13	Phone conversation with Mr. Lam's secretary re: his availability for service.	0.1	A
6/21/13	Phone call from Mr. Lam's secretary re: Lam's upcoming availability.	0.1	A
6/22/13	Phone conversation with representative of the DCCA re: procedures when a registered agent is unavailable to accept service.	0.2	A
6/25/13	Phone conversation with Stephen Street re: *.	0.3	A
7/17/13	Drafted Request to Clerk to Enter Default of Defendant Rhythm of Life Cosmetics, Inc.; Entry of Default; Declaration of Counsel; and	1.5	E

	Certificate of Service.		
7/19/13	Revised Declaration of Counsel for Entry of Default; filed documents with court; and mailed copies to Michael Lam and Defendant Richard Stillman.	1.2	E
8/26/13	Phone conversation with Stephen Street re: *.	0.2	A
8/28/13	Drafted memo for process server and mailed certified copy of complaint and summons to for service on Defendant Richard Stillman.	0.6	A
9/3/13	Reviewed email from process server; completed prepayment forms for service; emailed completed forms to process server.	0.4	A
9/5/13	Reviewed email from process server re: deadline for service, and responded to email.	0.2	A
9/6/13	Reviewed email from process server re: payment.	0.1	A
9/17/13	Reviewed email from process server re: proof of service.	0.1	A
9/21/13	Received proof of service on Richard Stillman via email, created caption sheet, and filed it with the Court.	0.3	A
10/8/13	Drafted Request to Clerk to Enter Default of Defendant Richard Stillman; Entry of Default; Declaration of Counsel; and Certificate of Service.	1.1	E
10/9/13	Revised Declaration of Counsel for Entry of Default; printed and filed Default documents with the Court.	0.9	E
10/14/13	Drafted Motion for Default Judgment; began draft of Memorandum in Support of Motion.	2.3	E
10/16/13	Continued draft of Memorandum in Support of Motion for Default.	2.9	E
10/17/13	Reviewed Defendant's Facebook.com commercial webpage for current infringements and took screenshots.	0.8	E
10/17/13	Completed draft of Memorandum in Support of Motion for Default.	1.3	E

10/17/13	Drafted Certificate of Service for Motion for Default and confirmed current mailing address for Defendant Rhythm of Life Cosmetics, Inc.	0.2	E
10/18/13	Completed draft of Declaration of Counsel for Motion for Default.	1.3	E
10/22/13	Reviewed email from Stephen Street re: bankruptcy documents	0.3	A
10/28/13	Phone conversations with Stephen Street re: *.	0.3	A
10/29/13	Revised Motion for Default Judgment; revised Memorandum in Support.	1.6	E
10/30/13	Reviewed Defendant's Facebook.com commercial webpage for current infringements; obtained screenshots; and revised Memorandum in Support to reflect current infringements.	1.3	E
10/30/13	Revised Declaration of Counsel.	0.1	E
11/4/13	Revised Motion and Memorandum in Support of Default.	1.2	E
11/6/13	Emails to Vincent Khoury Tylor re: *.	0.4	E
11/6/13	Completed revised memorandum, declaration of counsel, motion; proofread documents for filing.	1.6	E
	Total:	50.7	

* Attorney-client communications redacted

A. Case Development, Background Investigation, and Case Administration:

Dane Anderson 8.4 hours @ \$200/hour = \$ 1,680.00

B. Pleadings

Dane Anderson 22.6 hours @ \$200/hour = \$ 4,520.00

E. Motions Practice

Dane Anderson 19.7 hours @ \$200/hour = \$ 3,940.00

Total for All Litigation Phases: A + B + E = \$ 10,140.00

Summary of Fees by Attorney:

Dane Anderson	50.7 hours @ \$200/hr. = \$ 10,140.00
State Tax (4.167%)	\$ 422.54
Total Fees and Tax	\$ 10,562.54

5. The rates charged for the foregoing services by declarant were at or below rates customarily charged in the community for similar work by attorneys of similar, experience, ability, and standing in the Honolulu legal community.
6. The legal services performed by declarant were reasonable and necessary in connection with the proceedings in the above-captioned matter.
7. The total fee requested is reasonable and in accordance with the standards of Hawaii Rules of Professional Conduct Rule 1.5.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Honolulu, Hawaii, November 7, 2013.

/s/ Dane Anderson
DANE ANDERSON